

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 540 - HB 995

April 10, 2019

SUMMARY OF ORIGINAL BILL: Imposes tort liability on certain unlicensed persons treating mental health disorders.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (008111): Deletes and replaces all language after the enacting clause such that the only substantive change is removing the requirement for an unlicensed person who provides mental health psychotherapy services to provide to the client for the client's review and signature, a statement acknowledging the unlicensed status of the provider.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation does not expand or restrict the scope of practice for any person holding a license under Title 63; therefore, any fiscal impact to the health related boards is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Boards had an annual surplus of \$3,609,723 in FY16-17, an annual surplus of \$3,621,024 in FY17-18, and a cumulative reserve balance of \$34,646,763 on June 30, 2018.
- The Administrative Office of the Courts can accommodate the proposed legislation within existing resources without an increased appropriation or reduced reversion.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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